

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

(973) 776-7700

CHAMBERS OF

JAMES B. CLARK, III

UNITED STATES MAGISTRATE JUDGE

U.S. COURTHOUSE
50 WALNUT STREET, ROOM 2060
NEWARK, NJ 07101

February 24, 2025

LETTER ORDER

Re: Y.Y. v. Mayer-Regalbuto, et al.
Civil Action No. 24-8401 (CCC)

Dear Counsel:

Presently pending before the Court is a motion by Plaintiff Y.Y. (“Plaintiff”) for pre-service discovery and substituted service [Dkt. No. 17]. Plaintiff’s motion seeks permission to serve a third-party subpoena on the New Jersey Division of Child Protection and Permanency (the “DCPP”) and the New Jersey Office of the Attorney General (the “OAG”) directing the DCPP and OAG to disclose to Plaintiff the home addresses of DCPP’s alleged former employees, Defendants Kimberly Roberts (“Roberts”), Veronica Zeron (“Zeron”), and Susan Lennon (“Lennon”) (collectively, the “DCPP Defendants”). *See* Dkt. No. 17. In addition, Plaintiff’s motion requests that service upon the DCPP Defendants be simultaneously effectuated through substituted means, namely by serving the DCPP and OAG instead because Plaintiff’s attempts to serve the DCPP Defendants at their last known places of employment and residences were unsuccessful. *Id.*

Plaintiff’s motion was filed on November 21, 2024. *Id.* On December 9, 2024, the OAG entered its notice of appearance on behalf of Defendants Zeron and Lennon. Dkt. No. 18. Concurrently, the OAG filed a letter informing the Court that Zeron had been served. Dkt. No. 19 at p. 1. Thereafter, Zeron requested representation from the OAG. *Id.* Lennon was “made aware of this lawsuit,” and likewise requested representation from the OAG and agreed to waive service. *Id.* at p. 2. The OAG granted both Zeron’s and Lennon’s requests for representation. *Id.*; *see also* Dkt. No. 18.

Therefore, on December 9, 2024, Plaintiff's motion was moot as to Zeron and Lennon but outstanding as to Roberts. However, the OAG further noted in its December 9, 2024 letter that Roberts is a former DCPD employee who has since retired. *Id.* The OAG was then "in the process of contacting Ms. Roberts to determine whether she will request representation and agree to waive service." *Id.* On February 21, 2025, the OAG entered its appearance on behalf of Defendant Roberts. Dkt. No. 34. On the same day, the DCPD Defendants responded to Plaintiff's Complaint by filing a motion to dismiss. *See* Dkt. No. 35. Accordingly, based on the foregoing, Plaintiff's motion for discovery and alternative service upon the DCPD Defendants is hereby **TERMINATED** as moot.

IT IS SO ORDERED.

s/ James B. Clark, III
JAMES B. CLARK, III
United States Magistrate Judge